REMARKS

By the present response, Applicant has canceled claims 5 and 8 without disclaimer and amended claims 1, 7, 14 and 17 to further clarify the invention. Claims 1, 2, 4, 6, 7, 9, 10 and 12-19 remain pending in the present application. Reconsideration and withdrawal of the outstanding rejections and allowance of the present application are respectfully requested in view of the above amendments and the following remarks.

In the Office Action, claims 1, 2, 4, 6, 7, 9, 10 and 12-19 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,946,386 (Rodgers et al.) and further in view of U.S. Patent No. 6,721,397 (Lu). Claims 5 and 8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Rodgers and Lu and further in view of U.S. Patent No. 5,838,766 (Rand).

<u>35 U.S.C. §103 Rejections</u>

Claims 1, 2, 4, 6, 7, 9, 10 and 12-19 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Rodgers et al. in view of Lu. Applicant respectfully traverses these rejections.

Rodgers et al. discloses a Call Management System that provides for management of calls directly by system users at their workstation computers via a digital data network such as a digital network not controlled via the user's telephone instruments. A call management computer intercepts incoming calls and controls the handling of such calls according to instructions received from the users' workstations, which are accessed via the digital data network. Trunk

circuits are monitored and controlled using digital signal processors to proactively identify the called party, the calling party and the call type (voice, Fax, data) and control and to monitor all calls. Each different type of call is managed differently and automatically through direct user workstation controls and/or user-generated rules to provide special treatment for designated callers. Multiple calls to a user at the same time may be handled with no busy signals to callers. Only one number is needed for a user to receive voice Fax and data calls. Fax and data transmissions are automatically received.

Lu discloses that telephones are able to exchange arbitrary messages over a public-switched telephone network. Messages are created and sent to a switch. The switch transfers the message to a called party telephone. The switch sends data indicative of the end of the message to the called party telephone. Computers can send messages to telephones over the PSTN in this manner as well. Messages can be sent whether the called party is using the called party telephone or otherwise unable to immediately answer the called party telephone.

Regarding claims 1, 7, 14 and 17, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of these claims. For example, the Examiner asserts that Rodgers et al. discloses a voice mail interface unit converting a pulse call modulation format short message service signal transmitted from the office line interface unit into short message service data, at column 19, lines 29-40 and column 23, lines 56-57, 60-61 and 66-67. However, these portions

merely disclose a DSP task of caller ID decoding and generation of FSK modem signaling, that

the form of the calling party identification provided by the central office (CO) may include caller

ID containing the telephone number and/or name of the billed party in FSK or ANI DTMF or

FSK provided by inter-exchange carriers with some 800/900 services, or transmitting the calling

number along with the DID number in either DTMF or FSK form. This is not <u>a voice mail</u>

<u>interface unit converting a pulse code modulation format short message service signal</u>

<u>transmitted from the office line interface unit into short message service data</u>, as recited in the

claims of the present application. The disclosure in Rodgers et al. of decoding/generating FSK

modem signaling or different forms that the calling party identification can take, do not disclose

or suggest anything related to <u>converting a pulse code modulation format short message service</u>

<u>signal into short message service data</u>, as recited in the claims of the present application. In fact,

the disclosure of Rodgers et al. teaches away from these limitations in that these portions of

Rodgers et al. relate to <u>FSK signaling</u>. In contrast, the limitations in the claims of the present

application relate to converting <u>a pulse code modulation (PCM)</u> format short message service

signal. Further, Rodgers et al. does not disclose or suggest <u>short message service data</u>.

In addition, the Examiner asserts that Rodgers et al. discloses a voice mail interface unit

that converts the short message service data into a format of a terminal that will receive the short

message service data, at column 17, lines 39-64 and column 22, lines 55-56. However, these

portions relate to <u>conversion of new types of central office trunk/circuits with their new</u>

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<u>signaling requirements to older PBX trunk/circuits with their older signaling requirements</u> (see column 17, lines 26-38). This is not a voice mail interface unit <u>converting the short message service data</u> into a format of a terminal that will receive the short message service <u>data</u>, as recited in the claims of the present application. Rodgers et al. relates to the conversion of <u>circuits</u>. This is not the conversion of <u>data</u>, as recited in the claims of the present application.

Moreover, the Examiner asserts that Rodgers et al. discloses a control unit that switches a pulse code modulation channel of an office line to which a speech path is coupled into a pulse code modulation channel of a digital signal processor, in Figure 2, items 201, 203, 204, 210, 208 and column 21, line 58 through column 22, line 4. However, these portions merely disclose that the Internet voice interface, DSP and other boards connect to the telephony signal buses through their own circuits, that the FMIC connects the specific time slots of the telephony signal buses to/from the on-board internal circuitry, and that the call management computer's software drivers can change the circuit settings using commands through the computer signal buses. This is not a control unit that switches <u>a pulse code modulation channel of an office line</u> to which a speech path is coupled <u>into a pulse code modulation channel of a digital signal processor</u>, as recited in the claims of the present application. Rodgers et al. does not disclose or suggest switching <u>a pulse code modulation channel</u> from one line to a digital signal processor.

Further, the Examiner asserts that Rodgers et al. discloses a digital signal processor converting the pulse call modulation format short message service signal transmitted from the

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office line interface unit into the short message service data by decoding, at column 19, line 29,

column 23, lines 56-57, 60-61, and 66-67. However, as noted previously, Rodgers et al. relates

to <u>decoding FSK signaling</u>. This is not converting <u>a pulse code modulation format</u> signal, as

recited in the claims of the present application. In addition, Rodgers et al. does not disclose or

suggest converting a pulse code modulation format <u>short message service signal into short</u>

<u>message service data</u>.

The Examiner further asserts that Rodgers et al. discloses converting the short message

service data into a second pulse code modulation format short message service signal when the

short message service data is transmitted to a signal line terminal, at column 17, lines 39-64 and

column 19, line 40. However, as noted previously, Rodgers et al. relates to conversion of new

types of central office trunk/circuits into older PBX trunk/circuits. This is not converting a

short message service <u>data</u> into a second pulse code modulation format short message service

<u>signal</u>, as recited in the claims of the present application.

The Examiner admits that Rodgers et al. does not disclose or suggest converting short

message signal or data, but asserts that Lu discloses these limitations at column 6, lines 36-38,

column 5, lines 20-29 and column 6, lines 52-67. However, Lu merely discloses that a SMS

message because of its size may follow the caller ID data, details regarding the protocol for a

calling party telephone sending the arbitrary message to the switch, and that no caller ID data

needs to be sent however the call party phone can still request and display a digital message

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directed to it. This is not <u>converting a pulse code modulation format short message service</u>

<u>signal into a short message service data</u>, or converting the short message service data <u>into a</u>

<u>second pulse code modulation format short message service signal</u>, as recited in the claims of the

present application. The mere disclosure that a message may be an SMS message does not

disclose or suggest these limitations in the claims of the present application. Further, Applicant

submits that this is an improper combination since the cited references contain no disclosure or

suggestion to combine these references. For a valid combination under §103, there must be

some suggestion in the references to make the asserted combination.

Moreover, Applicant submits that none of the cited references disclose or suggest where

the control unit determines whether a digital signal processor resource is available when a speech

path is connected, waits for a predescribed time until the digital signal processor becomes

available if the digital signal processor resource is not available, and finishes a reception of the

short message service signal if the digital signal processor resource is not available until the

prescribed time has relapsed. The Examiner admits that neither Rodgers et al. nor Lu disclose

or suggest these limitations on page 15 of the Office Action. Therefore, these rejections have

been successfully traversed. However, since the Examiner asserts that Rand discloses these

limitations, this reference will be addressed here.

Rand discloses a test system for testing a plurality of switches. A test platform requests

the resources required for performing a test. A central configuration queue manager (CQM)

determines whether the requested resources are available and allocates the resources to the test

platform. However, some resources may be allocated in blocking mode. That is, subsequent

commands requesting such an allocated resource are queued until the resource is

released/available. An example of a resource which may be allocated in blocking mode is a

connection to a switch from a test platform. Other resources may be allocated in a non-blocking

mode. An example of a resource which may be allocated in a non-blocking mode is an operator

services trunk.

The Examiner asserts that Rand discloses these limitations at column 2, line 67 through

column 3, line 1. However, these portions merely disclose that as a test platform requesting a

shared resource may specify that the shared resource is to be allocated in blocking mode, and as

all subsequent commands are forced to wait until the test platform releases the shared resource,

test systems are enabled to optionally have exclusive control of shared resources while

performing a test. This is not <u>determining whether a digital signal processor resource is available</u>

<u>when a speech path is connected</u>, as recited in the claims of the present application. Further,

neither Rand nor any of the other cited references disclose or suggest <u>waiting for a prescribed</u>

<u>time until the digital signal processor becomes available if the digital signal processor resource is</u>

<u>not available, and finishing a reception of the short message service signal if the digital signal</u>

<u>processor resource is not available until the prescribed time has elapsed</u>. These limitations are

neither disclosed nor suggested in any of the cited references. Rand is merely related to providing shared resources to test platforms in a test environment.

Regarding claims 2, 4, 6, 9, 10, 12, 13, 15, 16, 18 and 19, Applicant submits that these claims are dependent on one of independent claims 1, 7, 14 and 17 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of claims 1, 2, 4, 6, 7, 9, 10 and 12-19 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

Claims 5 and 8 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Rodgers et al., Lu and further in view of Rand. Applicant has cancelled these claims therefore rendering these rejections moot.
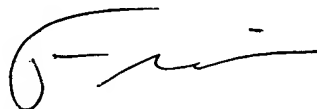
CONCLUSION

In view of the foregoing amendments and remarks, Applicant submits that claims 1, 2, 4, 6, 7, 9, 10 and 12-19 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Frederick D. Bailey, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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